IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 8005 of 2005

Between:

Syed Basha, S/o.Mahaboob,
R/o.H.No.10-72, Proddatur,
Cuddapah District.

..... PETITIONER

AND

1.The Station House officer,

Hayatnagar Police Station,

Ranga Reddy District.
2.The Station House officer,

Siddipet Police Station,

Medak District.
3.The Commissioner of police, Cyberabad.
4.The Superintendent of police,

Medak at Sangareddy.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or a writ, more particularly one in the nature of Habeas

Corpus directing the Respondents herein to produce Shaik Anwar Pasha Basha, son of the petitioner before this Hon'ble court, who was taken away by the police personnel of Hayatnagar police station on 03-04-2005 at about 21.10 P.M from Ramoji Film City and was shifted to Siddipet police station, apprehending danger to his life and set him at liberty forthwith.

Counsel for the Petitioner: TELEGRAM

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following:

ORDER: (Per Hon'ble Sri Justice B.Sudershan Reddy)

In the counter affidavit filed by the Inspector of Police, Hayatnagar police station, Cyberabad Commissionerate, it is *inter alia* stated that the alleged detenu was arrested by Vanastalipuram police on 17.4.2005 at 4-30 A.M. at Brahmanapalli Cross Road, Vanastalipuram while he was moving under suspicious circumstances along with one Dhanpal @ Siddu on motor cycle. On enquiry the alleged detenu is stated to have confessed to have committed 16 offences in the limits of police stations, Vanastalipuram, Hayatnagar, Ibrahimpatnam, Shadnagar, Nidamanur, Siddipet and Miryalaguda. The alleged detenu and the other accused were brought to the police station and based on their statements they were arrested in Crime Nos.82 of 2005, 123 of 2005, 126 of 2005 and 184 of 2005 registered under Sections 380, 394 and 379 I.P.C. on the file of Vanastalipuram police station.

2. Be that as it may, the fact remains that the alleged detenu and the other accused were produced before the learned VII Metropolitan Magistrate, Rangareddy District at L.B.Nagar on 18th April, 2005 at 7-30 A.M. at the residence of the learned Magistrate. Since it is a public holiday being Srirama Navami, the learned Magistrate directed the police to produce the accused on the next working day and accordingly, the alleged detenu and the other accused were produced before the learned Magistrate on 19.04.2005 at 10-30 A.M. and upon such production they were remanded to judicial custody and as at present the alleged detenu and the other accused are lodged in Central Prison, Cherlapalli.

3. In such view of the matter, no writ of Habeas Corpus need be issued, since the alleged detenu was directed to be placed in judicial remand by the competent court of criminal jurisdiction.

4. The writ petition is, accordingly, closed. No costs.

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B.SUDERSHAN REDDY,J.

_____

C.V.RAMULU,J.

Date: 20th April 2005.

*BSB/MSV

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Station House officer,

Hayatnagar Police Station,

Ranga Reddy District.

2.The Station House officer,

Siddipet Police Station,

Medak District.

3.The Commissioner of police, Cyberabad.

4.The Superintendent of police,

Medak at Sangareddy.

5. Two CCs to the Advocate General, High Court of A.P.,

Hyderabad (OUT).

6. Two CD copies